

119TH CONGRESS
2D SESSION

H. R. 8992

To establish a panel to review certiorari petitions, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 21, 2026

Mr. RASKIN introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To establish a panel to review certiorari petitions, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Supreme Court Certio-
5 rari Oversight and Transparency Standards Act” or the
6 “SCCOTUS Act”.

7 **SEC. 2. CERTIFICATION PANEL.**

8 (a) IN GENERAL.—Chapter 81 of title 28, United
9 States Code, is amended by inserting after section 1254
10 the following:

1 **“§ 1255. Supreme Court certification panel**

2 “(a) ESTABLISHMENT.—There is established a body
3 to be known as the Supreme Court Certification Panel
4 (hereinafter ‘the Panel’).

5 “(b) COMPOSITION.—The Panel shall consist of 13
6 circuit judges of the United States courts of appeals.

7 “(c) RANDOM SELECTION AND ROTATION.—

8 “(1) TERM DESIGNATIONS.—At the beginning
9 of each term of the Supreme Court, the Director of
10 the Administrative Office of the United States
11 Courts shall, using the random selection process es-
12 tablished under subsection (g)(11)(B), designate 1
13 circuit judge from each United States court of ap-
14 peals, who shall serve on the Panel for that term.

15 “(2) DESIGNATION PROCESS.—Each circuit
16 judge designated under this section shall be—

17 “(A) an active judge who has served in
18 Federal judicial office not less than 5 years; or

19 “(B) a senior or retired judge who is listed
20 on the roster maintained under section 294.

21 “(3) CONSECUTIVE SERVICE.—No judge may
22 serve on the Panel for more than 1 consecutive term.

23 “(4) ASSIGNMENT.—The Panel shall be as-
24 signed all petitions for writs of certiorari for review.

25 “(d) PRESIDING JUDGE.—The most senior judge
26 shall serve as Presiding Judge of the Panel for that term.

1 “(e) SUPPORT STAFF.—The Director of the Adminis-
2 trative Office of the United States Courts shall provide
3 administrative and clerical support to the Panel.

4 “(f) VACANCY.—If a member of the panel dies, re-
5 tires, or is unable to serve the remainder of the member’s
6 term, within 90 days of the occurrence of the vacancy, the
7 vacancy shall be filled by a circuit judge in accordance
8 with subsection (e)(2). The circuit judge so designated
9 shall serve for the remainder of the term of the former
10 member.

11 “(g) JURISDICTION AND DUTIES OF PANEL.—

12 “(1) PRIMARY FUNCTION.—The Panel shall re-
13 view all petitions for writs of certiorari filed with the
14 Supreme Court and grant or deny such petitions.

15 “(2) REVIEWING A PETITION FOR A WRIT OF
16 CERTIORARI.—

17 “(A) IN GENERAL.—A decision to grant a
18 petition for a writ of certiorari shall require the
19 concurrence of 4 members of the Panel.

20 “(B) WRITTEN STATEMENT.—Each deci-
21 sion to grant a petition for a writ of certiorari
22 shall include a written statement briefly ex-
23 plaining the reason for granting such request
24 and identifying the questions presented for re-
25 view.

1 “(C) CONSOLIDATION.—The Panel may
2 consolidate petitions for writs of certiorari pre-
3 sented substantially identical questions of law
4 and certify them jointly.

5 “(3) DENIALS.—When a petition for a writ of
6 certiorari is denied, the Panel shall enter an order
7 of denial stating that none of the criteria in para-
8 graph (5) were sufficiently met and no further expla-
9 nation is required.

10 “(4) STAYS PENDING APPEAL.—A member of
11 the Panel shall have the same authority to grant a
12 stay as a Justice of the Supreme Court has under
13 Supreme Court Rule 23 (or any successor rule).

14 “(5) CRITERIA FOR CERTIFICATION.—The
15 Panel may grant a petition for a writ of certiorari
16 only if one or more of the following criteria are met:

17 “(A) CONSIDERATIONS GOVERNING RE-
18 VIEW.—A petition for a writ of certiorari may
19 be granted only for compelling reasons, includ-
20 ing—

21 “(i) a United States court of appeals
22 has entered a decision in conflict with the
23 decision of another United States court of
24 appeals on the same important matter;

1 “(ii) has decided an important Fed-
2 eral question in a way that conflicts with
3 a decision by a State court of last resort,
4 or has so far departed from the accepted
5 and usual course of judicial proceedings, or
6 sanctioned such a departure by an inferior
7 court, as to call for an exercise of super-
8 visory power of the Supreme Court;

9 “(iii) a State court of last resort has
10 decided an important Federal question in a
11 way that conflicts with the decision of an-
12 other State court of last resort or of a
13 United States court of appeals;

14 “(iv) a State court or a United States
15 court of appeals has decided an important
16 question of Federal law that has not been,
17 but should be, settled by the Supreme
18 Court, or has decided an important Fed-
19 eral question in a way that conflicts with
20 relevant decisions of this Court.

21 “(B) GRANTING A PETITION BEFORE
22 JUDGMENT.—A petition for a writ of certiorari
23 to review a case pending in a United States
24 court of appeals, before judgment is entered in
25 that court, may only be granted upon a showing

1 that the case is of such imperative public im-
2 portance as to justify deviation from normal ap-
3 pellate practice and to require immediate deter-
4 mination by the Supreme Court.

5 “(6) LIMITATION.—The Panel may not reexam-
6 ine factual findings or weigh the sufficiency of evi-
7 dence in the record.

8 “(7) OPERATING PROCEDURES.—

9 “(A) MEETINGS.—The Panel shall sit as a
10 motions court, meeting at least once monthly
11 during the term, and may conduct business
12 electronically when necessary.

13 “(B) QUORUM.—Six judges shall con-
14 stitute a quorum.

15 “(C) PUBLIC REPORTING.—

16 “(i) IN GENERAL.—At the close of
17 each term, the Panel shall issue a public
18 report, published on the website of the Ad-
19 ministrative Office of the United States
20 Courts and submitted to the Committees
21 on the Judiciary of the House of Rep-
22 resentatives and the Senate summa-
23 rizing—

24 “(I) the number of petitions re-
25 viewed;

1 “(II) the number of petitions
2 granted and denied; and

3 “(III) general statistical data on
4 grounds for granting such petitions.

5 “(ii) LIMITATION.—No report issued
6 pursuant to clause (i) may disclose con-
7 fidential deliberations or identifying infor-
8 mation about pending cases.

9 “(8) TRANSMISSION TO THE SUPREME
10 COURT.—Each petition for a writ of certiorari that
11 is granted shall be transmitted to the Clerk of the
12 Supreme Court to be entered on the docket.

13 “(9) REVIEW BY THE SUPREME COURT.—A pe-
14 tition for a writ of certiorari granted by the Panel
15 shall be deemed granted by the Supreme Court. The
16 Supreme Court shall set the case for oral argument
17 pursuant to Supreme Court Rules.

18 “(10) ETHICS AND DISQUALIFICATION.—

19 “(A) ETHICS.—Panel judges shall be sub-
20 ject to the Code of Conduct for United States
21 Judges and standards for recusal.

22 “(B) DISQUALIFICATION.—A judge who
23 participated in a case in an inferior court shall
24 be disqualified from any consideration of a peti-

1 tion for writ of certiorari with respect to that
2 case.

3 “(11) IMPLEMENTATION.—

4 “(A) RULES.—Not later than 1 year after
5 the date of enactment of this section, the Judi-
6 cial Conference of the United States shall pro-
7 mulgate rules governing the administration and
8 operation of the Panel consistent with this sec-
9 tion.

10 “(B) RECORD KEEPING.—The Director of
11 the Administrative Office of the United States
12 Courts shall establish the random-selection
13 mechanism and maintain public records of the
14 selection process.

15 “(h) DEFINITIONS.—In this section, the term ‘term’
16 means the term commencing on the first Monday in Octo-
17 ber of each year and such other adjourned or special term
18 as the Supreme Court may hold.”.

19 (b) CLERICAL AMENDMENT.—The table of sections
20 for chapter 81 of title 28, United States Code, is amended
21 by inserting after the item relating to section 1255 of title
22 28, United States Code, the following:

 “1254A. Supreme Court certification panel.”.

23 **SEC. 3. SEVERABILITY.**

24 If any provision of this Act, an amendment made by
25 this Act, or the application of such a provision or amend-

1 ment to any particular person or circumstance is held in-
2 valid, the remaining provisions of this Act and the amend-
3 ments made by this Act, and the application of such re-
4 maining provisions and amendments to any other person
5 or circumstance, shall not be affected thereby.

○